

Attorney:
 CHRISTINA M. PAUL
 K&L GATES
 599 LEXINGTON AVENUE
 NEW YORK NY 10022



UNITED STATES DISTRICT COURT, NORTHERN DISTRICT
 OF NEW YORK

SARAH MATTHEWS, ET AL
 Plaintiff

BRUNSWICK CORPORATION D/B/A MERCURY MARINE, BY AND THROUGH ITS
 AGENTS, OFFICERS, AND/OR EMPLOYEES
 Defendant

Index / case #: 6:24-CV-00202
AFFIDAVIT OF SERVICE

Onondaga County, State of: New York Michelle Meyer being sworn,

says: Deponent is not a party herein, is over the age of 18 years and resides in the State of: New York

On 10/15/24 at 3:15 am/pm at: 125 EAST JEFFERSON STREET SUITE 900 SYRACUSE NY 13202

Deponent served the within: THIRD-PARTY SUMMONS; THIRD-PARTY COMPLAINT; CIVIL DOCKET; UNIFORM
 PRETRIAL SCHEDULING ORDER; CIVIL CASE MANAGEMENT PLAN; GENERAL ORDER #26, CIVIL CASE ASSIGNMENT & FILING ORDER; COMPLAINT

On which were set forth the Index No., herein, and date of filing

On: **TIMOTHY J. DEMORE DEMORE LAW FIRM**
 (herein after called the recipient) therein named.

- Individual By delivering a true copy of each to said recipient personally; Deponent knew the person so served to be the person described in as said recipient therein
- Suitable Age person By delivering thereat a true copy of each to: _____
 a person of suitable age and discretion. Said premises is recipients [] Actual Place of Residence
 [] Actual Place of Business within the State.
- Affixing to Door By affixing a true copy of each to the door of said premises which is recipients [] Actual Place of Residence
 [] Actual Place of Business, within the State
 Deponent was unable with due diligence to find recipient or person of suitable age and discretion thereat having called there _____
- Corporation or Partnership By delivering thereat a true copy of each to: Timothy J. Demore
 personally. Deponent knew said corporation / partnership so served to be the corporation / partnership described in said aforementioned document as said recipient and knew said individual to be Managing agent thereof.
- Mailing Within 20 days of such delivery, or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipients last known [] Actual Place of Residence [] Actual Place of Business
 at _____
 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.
- Description

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White skin	<input type="checkbox"/> Black hair	<input type="checkbox"/> 14-20 Yrs	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs
<input type="checkbox"/> Female	<input type="checkbox"/> Black skin	<input type="checkbox"/> Brown hair	<input type="checkbox"/> 21-35 Yrs	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs
	<input type="checkbox"/> Yellow skin	<input type="checkbox"/> Gray hair	<input type="checkbox"/> 36-50 Yrs	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs
	<input type="checkbox"/> Brown skin	<input checked="" type="checkbox"/> Blonde hair	<input checked="" type="checkbox"/> 51-65 Yrs	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs
	<input type="checkbox"/> Red skin	<input type="checkbox"/> Red hair	<input type="checkbox"/> Over 65 Yrs	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs
- Other Identifying Features _____

- Military Service I asked the person spoken to whether recipient was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated.
- Subpoena Fee Tendered in the amount of _____
- _____

Sworn to before me on 17th day of October, 2024

Michelle Meyer
 (Print name below signature)
 Michelle Meyer

JENNA R. SPENDLE
 Notary Public, State of New York
 No. 01SP0218198
 Qualified in Onondaga County
 My Commission Expires March 1, 2026

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X
SARAH MATTHEWS and JEFFREY MATTHEWS, :
Individually, and as Parents and Natural Guardians of :
M.M. 1, an infant under the age of 18 years and M.M. :
2, an infant under the age of 18 years, :
Case No. 6:24-CV-0202
(DNH/TWD)

Plaintiffs,

-against-

BRUNSWICK CORPORATION d/b/a MERCURY
MARINE, by and through its Agents, Officers, and/or
Employees,

Defendant.

-----X
BRUNSWICK CORPORATION d/b/a MERCURY
MARINE, by and through its Agents, Officers, and/or
Employees,

Third-Party Plaintiff,

-against-

DAVID YOULEN,

Third-Party Defendant.

-----X

MERCURY MARINE'S THIRD-PARTY SUMMONS

TO: David Youlen
154 Gadwell Lane
Manlius, NY 13104

A lawsuit has been filed against defendant Brunswick Corporation d/k/a Mercury Marine, by and through its Agents, Officers and/or Employees, which as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Sarah Matthews and Jeffrey Matthews, Individually, and as Parents and Natural Guardians of M.M. 1, an infant under the age of 18 years and M.M. 2, an infant under the age of 18 years.

Within 21 days after the service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States Agency, or an officer or

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employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – you must serve on the third-party plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Christina M. Paul (admitted pro hac vice)
K&L Gates LLP
Southeast Financial Center
200 South Biscayne Boulevard
Suite 3900
Miami, Florida 33131-2399
Tel.: 305-539-3300

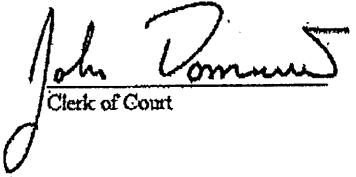
It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Timothy J. DeMore
DeMore Law Firm
125 East Jefferson Street
Suite 900
Syracuse, New York 13202
Tel.: 315-413-7002

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Dated: October 10, 2024


John Donnus
Clerk of Court


s/ Helen M. Reese

Signature of Clerk or Deputy Clerk